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09 SEP 17 PM 2:14

1 Andre Carpieux

2 Name and Address

3 1264 Ocean Av.

4 Emeryville CA.

5 94608

6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA

8 Carpieux

9 Plaintiff / Petitioner

10 VS.

11 City of Emeryville

12 Defendant / Respondent

Case No. C08-4347BZ

Document Name:

"D" 2 pages

"K" 3 pages

"X" 6 pages

make a section 8 property just next to you ! hymn nice company ?

There is a bunch of lose lot like that at he Watergate property complex,

so may be they should check one of their property and make some

thing affordable over there as an experimental social program, just in

case they would explore the idea that it should be shared across the

board as to not create an underclass of S S.I. recipients

Let me know if anything is boiling in your area. Salut, andre'

On Sat, 9/5/09, shirley enomoto <cowpokette5@yahoo.com> wrote:

From: shirley enomoto <cowpokette5@yahoo.com>  
Subject: Re: Brown act, A.D.A. & elder abuse  
To: "Andre Carpiaux" <cxengineers@yahoo.com>  
Date: Saturday, September 5, 2009, 7:27 AM

i know plenty about "pre-park." i even met the owner of dutro offering what support i could as she had to retain a lawyer to stay. they didn't want to sell and move. they had loyal employees they wanted to keep as well as their business.

true there were "community" meetings but our suggestions were ignored: we didn't want a bathroom, we got one. we didn't want a basketball net, we got one. kassis expanded the park 10 feet on 61st and 62nd, wanted to eliminate parking on the north side of 61st and south side of 62nd and make both streets one way. it wasn't until residents who live in francis collins' building got mad and stormed john flores' office that they at least got permit parking on 61st.

the celebration is only for one hour so you better come early if you want to eat!

— On Sat, 9/5/09, Andre Carpiaux <cxengineers@yahoo.com> wrote:

From: Andre Carpiaux  
<cxengineers@yahoo.com>  
Subject: Re: Brown act, A.D.A. & elder abuse

To: "shirley enomoto"  
<cowpockette5@yahoo.com>  
Date: Saturday, September 5, 2009, 12:02 AM

Dear Shirley ;

Who posted those fliers ? I will come and meet those who rejoice fun and entertainment at the expenses of the Woodfin's fired workers. I have send an invitation to Ebayses and in turn asking them to invites all the fired workers to get free lunches, free drinks, gas money, stip-in and the welcome from those who's priorities are not the social issue afloat in this City, but their own dog's selfish contentment Of course it benefited some....the developers with their chronic cost overrun. What else is new in this cash cow Town run by

Budakaatk ! there is a difference in this instance, it happened that the Park pushers where initially from Fricke's slate....so its no wonder that Budakaatk pointing the finger at John. Jim Martin John's body got trapped on this one Jim MARTIN was the conniver maneuvering HIS wailing supporters of the Park and at the same time screwing around with the opposition to prevent them to be heard ! Jim Martin did everything possible legal on the book to prevent my participation. He pulled a fast one, a slick one. EXCEPT,

Jim used his position of influence as chairman to get things through his way, ignoring my phone calls ( he never returned ) my calls or that of other opponnet and the whole planning commission played in his orchestra his music to circumvent the " opposition ".

The City Council was fully aware of that strategic tactic, but did nothing and letting the blood of justice run out, being guilty by omission for not enforcing the legal process governed by the BROWN Act and the A.D.A.

For instance. " YOU " living directly across and already subject to the worn out annoyance of your westerly property mini Park.... Have you ever been consulted, invited, collecting your opinion, making you involved in every step

**RE: In the interest of Emeryville**

Thursday, June 11, 2009 12:03 PM

From: "Karen J Hemphill" <khemphill@ci.emeryville.ca.us>  
To: "Andre Carpiaux" <cxengineers@yahoo.com>  
Cc: "Michael G. Biddle" <mbiddle@ci.emeryville.ca.us>

Mr. Carpiaux:

As is standard staff procedure for all non-specific or complex public information requests (ie. requests other for very specified documents easily identifiable as subject to disclosure, such as agendas, minutes, resolutions/ordinances, Fair Political Practices Commission reports, for example), I consulted with the City Attorney's Office for review/comment regarding what is the appropriate response for compliance with the Public Records Act. So, below is my initial response to your public records request dated June 9, 2009 :

1. Regarding items 1-9 - all contracts/agreements over \$25,000 require approval by resolution adopted by the City Council or Redevelopment Agency. I can provide a list of resolution titles that will identify a particular contract and from there let me know which ones you would like to see/copy (copying is 10cents per page as set by State statute; in person review is for free as our documents available in electronic format). It would be helpful to know if there is a specific time range that you are interested in.
2. As to item 11, that information is protected by the pending litigation exception to the Public Records Act under Government Code Section 6254(b) and the attorney-client privilege exception set forth in Section 6254(k) regarding provisions pertaining to privilege under the Evidence Code.
3. As to items 10 and 12, Emeryville would not have any documents relating to these issues as relate to events/activities outside of the City's jurisdiction.

Karen Hemphill  
City Clerk

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**From:** Andre Carpiaux [mailto:cxengineers@yahoo.com]  
**Sent:** Tuesday, June 09, 2009 2:43 AM  
**To:** Karen J Hemphill  
**Subject:** Re: In the interest of Emeryville

Dear Karen ;

NO, I am not interested in what I am not eligible for, let me explain ;  
Ever since Bukowski, Davis and Kassis BUDAKA's gang has been joined by Atkin, the voting block BUDAKAATK has given in the form of investment ( expecting a return ) as a business deal. Except for Fricke, we all have heard their wailing reasons, a broken record !  
What I am being asked ( by those who do not care to be known ) by those enquirers is how many individuals have received from the City ( meaning City Council ) " approval " money, I mean big money. NOT money handed by N. Templeton's conservation or preservation job which amount to build fences, paint job ets...that's a gravy train job. It is also a job to make the voters happy, who in turn would be at the poling place vote fanatics for the BUDAKAATK.

The term limit puts an end to this vote buying method in which the beneficiary receive on gratuity from the taxpayers gross income pay check. The re-election of the incumbents is a direct reflection of the benefits dispensed rather than the merit of the incumbent honest job. For that automatic benefit of the incumbent, those incumbents BUDAKAATK's gang are not going to allow the term limit that would apply to them for the " interest of Emeryville " making it a career of being City Councilmen like any other civil service servant personal..It leads to corruption and my challenge to basic honesty is not being confronted on the ground of " the interest of Emeryville " because it is focused on the theory of investment to few individuals who happen to fall in the eye of the beholders BUDAKAATK.

K

What I want to know from you or the manager or your or his office is the name of every individuals who has received " money " starting at U.S.\$ 50.000,00 and up to multi millions of dollars for what ever reasons, meaning ;

1. developers for construction project(s) with or without free tax
2. business people to open a business in Emeryville year(s) free rent
3. chain to open an outlet here and given them seed money
4. consulting " consultant " advisers and
5. business promotion planners
6. city future plan city planners outside business office.outfit.
7. E.C.A P. ( who is on the payroll in that outfit )
8. public project like the Dog Hall Pack consulting planners, developers
9. bundle of money given for services not yet rendered " carrot money "
10. Nigerian scam fees and duties, Bernard MADDOX 's Ponzi scheme
11. Cost of Bukowski's legal dream team for run over killing SMELA !
12. Hilary's travel expenses to Bosnia for being under sniper fire !

All of it is public record. I am entitle to it, meaning also the details of it.

Thank you Karen. Salut, Andre'.

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**From:** Karen J Hemphill <khemphill@ci.emeryville.ca.us>

**To:** Andre Carplaux <cxengineers@yahoo.com>

**Sent:** Monday, June 8, 2009 11:43:27 AM

**Subject:** RE: Emeryville Awarded \$84K for Summer Youth Jobs!

If you are asking about our community grant program, there will be a Council item on June 16.

Karen

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**From:** Andre Carpiaux [mailto:cxengineers@yahoo.com]  
**Sent:** Monday, June 08, 2009 7:31 AM  
**To:** Karen J Hemphill  
**Subject:** Re: Emeryville Awarded \$84K for Summer Youth Jobs!

Dear Karen ;

A City councilmen wrote me that the City Manager or his office should be able to provide me with the list of the recipients of the " donation " monetary award for what ever reasons and whatever project under whatever name or program or political situation or " investment ". This is a broad request but with your instruction I could come with specific instances as long as it is funds generated by the public that should be public record. Should I come in person ? Do you have a written request form available ? you may call me at 510 292 9807  
If you need clarification , please let me know,.  
Thank you. Andre'.





You are here: Home > Departments > ADA Coordinator > Accommodations & Barrier Removal

## Accommodations & Barrier Removal

### Ensuring Effective Communication

In its effort to ensure that communication with participants and members of the public with disabilities are as effective as communications with others, the City of Emeryville will provide appropriate auxiliary aids and services whenever necessary for those individuals who have hearing, sight, or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden.

### Requesting Accommodations or Auxiliary Aids

A person who requires an accommodation, an auxiliary aid or service to participate in a City program or activity, or who requests a modification of policies or procedures, should contact the sponsoring department and ADA Coordinator as far in advance as possible, but not later than two business days before the scheduled event. The best effort to fulfill the request will be made.

This person should submit a Request for Accommodation or Barrier Removal Form to the ADA Coordinator at:

Dominique B. Burton, ADA Coordinator  
1333 Park Ave.  
Emeryville, CA 94608  
Ph: (510) 596-4380 | Fx: (510) 596-3724

An individual may also submit this form when seeking the removal of a physical barrier in order to gain or improve access. Other arrangements for submitting a request, such as personal interviews or tape recordings, as well as assistance in completing the form, are available by contacting the ADA Coordinator.

### Costs

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing these auxiliary aids / services or reasonable accommodations. In determining what type of auxiliary aid or service is necessary, the City will give consideration to requests of individuals with disabilities.

" X "

## **ADA Title II: State and Local Government Activities**

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services and activities (e.g. public educations, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

### **Title II Resources**

Department of Justice ADA Home Page which includes publications and guides on the ADA. <http://www.usdoj.gov/crt/ada/adahom1.htm>

### **Title II Compliance**

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

Disability Rights Section  
Civil Rights Division  
U.S. Department of Justice  
P.O. Box 66738  
Washington, D.C.  
20035-6738

<http://www.usdoj.gov/crt/ada/adahom1.htm>

(800) 514-0301 (voice)

(800) 514-0383 (TTY)



## CITY OF EMERYVILLE

Title II of the American with Disabilities Act & Section 504 of the  
Rehabilitation Act of 1973



### GRIEVANCE FORM

City of Emeryville  
ADA Coordinator, Dominique B. Burton  
1333 Park Avenue, Emeryville, CA 94608

#### I. COMPLAINANT INFORMATION

Name of Complainant: \_\_\_\_\_  
Last MI First

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Preferred Method(s) of Communication: (Check all that apply) ☐ Voice Telephone,

☐ TTY, ☐ CRS, ☐ E-mail, ☐ US MAIL and ☐ Other: \_\_\_\_\_

#### II. DESCRIBE YOUR COMPLAINT OF DISCRIMINATION BASED UPON DISABILITY. Be specific and give date(s), time(s) and location(s). Use the reverse side of this sheet or attached pages, if needed.

#### III. PERSONS NAMED IN YOUR COMPLAINT. List the names of (or describe) all persons involved in your complaint. Indicate the job title and City Agency, department or division of City employees, if possible.

**IV. WITNESSES TO YOUR COMPLAINT.** List the names of (or describe) all persons involved in your complaint. Indicate the job title and City Agency, department or division of City employees, if possible.

**V. EVIDENCE AND DOCUMENTATION.** List and provide any physical evidence, written or recorded documents, or any other information that directly supports your specific claim of discrimination.

**VI. CASE REMEDY AND/OR RESOLUTION.** What remedies or resolutions are you seeking?

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**CERTIFICATION**

**I herby certify that the information and statements provided above are true.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If Complainant is not the individual completing this form, please provide

Representative's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

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For more information or assistance in completing the form, please contact the  
ADA Coordinator via (direct line) 510.596.4380, (fax) 510.596.3724, (TTY Relay) 711,  
or [dburton@ci.emeryville.ca.us](mailto:dburton@ci.emeryville.ca.us).

You are here: Home > Departments > ADA Coordinator > Filing an ADA Grievance

## Filing an ADA Grievance

### Formal Procedure

The City of Emeryville has adopted a formal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the ADA and State Disability Rights. This procedure is available for any individual who wishes to file a complaint alleging discrimination on the basis of the disability in the provision of services, activities, facilities, and programs by the City of Emeryville.

### Initial Filing

The complaint should contain as much information as possible about the alleged discrimination. The complainant or his/her representative should file a Grievance Form no later than 60 days from the date of the alleged discrimination to:

Dominique B. Burton, ADA Coordinator  
1333 Park Ave.  
Emeryville, CA 94608  
Ph: (510) 596-4380 | Fx: (510) 596-3724

The complaint should be in writing; however, other arrangements for submitting a request, such as personal interviews, tape recordings, and assistance completing the form are available upon request. For more information on the process, view the [Grievance Process](#).

### Use of This Procedure

The availability and use of this grievance procedure via submission of a complaint form does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

## CITY OF EMERYVILLE

Title II of the American with Disabilities Act & Section 504 of the  
Rehabilitation Act of 1973



### REQUEST FOR ACCOMMODATION OR BARRIER REMOVAL

City of Emeryville  
ADA Coordinator, Dominique B. Burton  
1333 Park Avenue, Emeryville, CA 94608

Check one: ☐ Accommodation ☐ Barrier Removal

Name of Complainant: \_\_\_\_\_

Last

MI

First

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Preferred Method(s) of Communication: (Check all that apply) ☐ Voice Telephone,  
☐ TTY, ☐ CRS, ☐ E-mail, ☐ US MAIL & ☐ Other: \_\_\_\_\_

Accommodation needed or location of barrier: \_\_\_\_\_

Brief statement of why the accommodation is needed or the barrier removed: \_\_\_\_\_

**NOTE: Barrier Removal requests are conducted and prioritized by the City with regard to budget and scheduled projects.**

Date accommodation is needed: \_\_\_\_\_

#### CERTIFICATION

I certify that I have a disability or medical condition that requires reasonable accommodation, which will be met by acquiring the equipment, services, or work adjustments described above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If person needing accommodation is not the individual completing this form, please provide Representative's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

For more information or assistance in completing the form, please contact the  
ADA Coordinator via (direct line) 510.596.4380, (fax) 510.596.3724, (TTY Relay) 711,  
or [dburton@ci.emeryville.ca.us](mailto:dburton@ci.emeryville.ca.us).